

## Smeraldi, Josh

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**Subject:** FW: help on RS

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**From:** Flynn, Kathryn <[Flynn.Kathryn@epa.gov](mailto:Flynn.Kathryn@epa.gov)>  
**Sent:** Tuesday, August 10, 2021 12:24 PM  
**To:** Smeraldi, Josh <[Smeraldi.Josh@epa.gov](mailto:Smeraldi.Josh@epa.gov)>  
**Cc:** Nace, Charles <[Nace.Charles@epa.gov](mailto:Nace.Charles@epa.gov)>; Sivak, Michael <[Sivak.Michael@epa.gov](mailto:Sivak.Michael@epa.gov)>  
**Subject:** RE: RS review

Hi Josh, I just looked at the RS again.

On the pilot study, the response is good, but I edited the comment to clarify that pilot study and the containment are different topics, and deleted the treatability study sentence.

On the selection of the groundwater remedy, this comment is clarified. And the response states why EPA can select the groundwater remedy now. **Exemption 5, Deliberative**

**Exemption 5, Deliberative**

**Exemption 5, Deliberative**

Thanks,  
Kathryn

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**From:** Smeraldi, Josh <[Smeraldi.Josh@epa.gov](mailto:Smeraldi.Josh@epa.gov)>  
**Sent:** Tuesday, August 10, 2021 8:10 AM  
**To:** Flynn, Kathryn <[Flynn.Kathryn@epa.gov](mailto:Flynn.Kathryn@epa.gov)>  
**Cc:** Nace, Charles <[Nace.Charles@epa.gov](mailto:Nace.Charles@epa.gov)>; Sivak, Michael <[Sivak.Michael@epa.gov](mailto:Sivak.Michael@epa.gov)>  
**Subject:** RE: RS review

Hi Kathryn,

We hope to get the RS out to the state later today. Do you need to take another look at the RS or did you have any other questions/comments?

Thanks,

Josh

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From: Sivak, Michael <[Sivak.Michael@epa.gov](mailto:Sivak.Michael@epa.gov)>  
Sent: Wednesday, August 4, 2021 2:05 PM  
To: Smeraldi, Josh <[Smeraldi.Josh@epa.gov](mailto:Smeraldi.Josh@epa.gov)>; Flynn, Kathryn <[Flynn.Kathryn@epa.gov](mailto:Flynn.Kathryn@epa.gov)>  
Cc: Nace, Charles <[Nace.Charles@epa.gov](mailto:Nace.Charles@epa.gov)>  
Subject: RE: RS review

Kathryn:

I added some follow up to a couple of Josh's responses to your comments. Thanks for your input!

Michael Sivak

[sivak.michael@epa.gov](mailto:sivak.michael@epa.gov) | 212.637.4310 (desk) | 646.438.5237 (cell)

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From: Smeraldi, Josh <[Smeraldi.Josh@epa.gov](mailto:Smeraldi.Josh@epa.gov)>  
Sent: Tuesday, August 3, 2021 3:46 PM  
To: Flynn, Kathryn <[Flynn.Kathryn@epa.gov](mailto:Flynn.Kathryn@epa.gov)>  
Cc: Sivak, Michael <[Sivak.Michael@epa.gov](mailto:Sivak.Michael@epa.gov)>; Nace, Charles <[Nace.Charles@epa.gov](mailto:Nace.Charles@epa.gov)>  
Subject: RE: RS review

See my comments below. Thanks!

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From: Flynn, Kathryn <[Flynn.Kathryn@epa.gov](mailto:Flynn.Kathryn@epa.gov)>  
Sent: Tuesday, August 3, 2021 2:34 PM  
To: Smeraldi, Josh <[Smeraldi.Josh@epa.gov](mailto:Smeraldi.Josh@epa.gov)>  
Cc: Sivak, Michael <[Sivak.Michael@epa.gov](mailto:Sivak.Michael@epa.gov)>; Nace, Charles <[Nace.Charles@epa.gov](mailto:Nace.Charles@epa.gov)>  
Subject: RE: RS review

Hi Josh, I responded to some comments and I unfortunately won't have time to look at this again until Thursday.

I have notes on the following issues:

1. The alternative descriptions include source removal. We should never implement a groundwater remedy without treating or removing the source – ask any RPM that has implemented a groundwater remedy. **I completely agree. Exemptions 5, Deliberative, and 7a, Law Enforcement** [REDACTED]. We have signed RODs with soil and groundwater in the same ROD (Standard Chlorine, Curtis Paper, Hercules, and Crown Cleaners to name a few), so including soil (which is a source to GW) and GW in the same decision document has been done before. As you and Josh both state, the GW remedy would be sequenced after the source component of the remedy has been implemented.
2. Comment E.e: On the bulkhead, EPA's previous response to comment #59 in the table was "EPA will correct the error noted in the Proposed Plan and change the text in the forthcoming ROD to include a discussion *that the bulkhead will prevent potential off-site transport of soil/fill containing COCs above PRGs* and reduce the exposure pathways to human and ecological receptors associated with soil/fill with COCs and COECs above PRGs." What are the PRGs for off-site transport of soil/fill to the river? This is confusing, because the direct contact standards for soil would not apply to sediment going into the river, and the eco risk assessment also seems to only apply to soils. **There are no PRGs for off-site transport for soils. In the RI, elevated levels of lead was found in soil and it was observed that during tidal/flooding events soil was eroding into the river. We did not go into the river to sample and deferred**

to diamond alkali to address any contamination in the river. So the soil RAO is to minimize potential interaction between the site and the river. To achieve this a bulkhead is required to be built.

3. Comment D.g: This comment is about why the groundwater remedy needs to be *selected* now. The original comment from PPG was #2 in the table you sent me and it states “The *selection* of a groundwater remedy must be deferred for further evaluation given the flaws in USEPA’s CSM and the possibility that the implementation of the soil/fill remedy will obviate any potential need to address groundwater impacts.” and comment #27 states “These inconsistencies further indicate that USEPA’s CSM is overly simplistic, that further evaluation is required, and that the *selection* of a groundwater remedy must be deferred.”

**Exemption 5, Deliberative,  
Attorney-Client**

My additional text for your comment 1 offers other examples of sites where both source and GW remedies were selected in the same decision document.

4. Comment D.c. The pilot study and containment barrier parts of the comment are not addressed in the response. Are these comments from PPG? What was the actual comment on the containment barrier? Did the commenter mention a slurry wall or reactive barrier? A reactive barrier is a treatment and so it isn’t the same as a containment barrier. **This portion the comment was a CAG comment and the text is copied below. I saw your recent comments and edits, thank you, made additional edits to clarify the pilot study.**

Below is a copy of the comment:

- Has a pilot study been completed to confirm that a pump and treat system would contain impacted groundwater onsite?
  - It seems that a containment barrier, such as a slurry wall or reactive barrier wall, would enhance effectiveness in preventing further migration to the Passaic River.

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**From:** Smeraldi, Josh <[Smeraldi.Josh@epa.gov](mailto:Smeraldi.Josh@epa.gov)>  
**Sent:** Friday, July 30, 2021 3:36 PM  
**To:** Flynn, Kathryn <[Flynn.Kathryn@epa.gov](mailto:Flynn.Kathryn@epa.gov)>  
**Cc:** Nace, Charles <[Nace.Charles@epa.gov](mailto:Nace.Charles@epa.gov)>  
**Subject:** RS review

Hi Kathryn,

We had many comments and significant revisions to the RS this past week. I am sorry for having to ask again but, if you have time, I think it would be helpful if you can take a second look at the revised version. If possible, please complete your review early next week. Below is the link to the document.

 [Responsiveness Summary 7-6-2021.docx](#)

Let me know if you have any questions.

Thanks,

Josh

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